

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463.

Michael J. Viola, Treasurer
SBC Communications Inc. Employee
Federal Political Action Committee
(SBC EMPAC)
175 E. Houston, 7-A-50
San Antonio, TX 78205

JIN 6 2001

Identification Number:

C00109017

Reference:

Year End Report (11/28/00-12/31/00)

Dear Mr. Viola:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule B of your report discloses a contribution(s) to Lofgren for Congress, Charles A. Gonzalez Congressional Campaign, Eddie Bernice Johnson for Congress, Lampson for Congress, Barbara Lee for Congress, and Rodriguez for Congress for the retirement of debts incurred by the 2000 general election campaign; however, it appears that the recipient committee(s) had insufficient debts to warrant such a contribution. Please note that a committee may only designate contributions to retire a candidate's debts if those debts exist.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If you have made an impermissible contribution, you should either notify the recipient and request a refund of the impermissible amount and/or notify the recipient, in writing, of your redesignation of the contribution. All refunds and redesignations must be made within sixty days of the treasurer's receipt of the contribution.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent

to the recipient committee(s). In addition, refunds are reported on Line 16 of the Detailed Summary Page and on Schedule A of the report covering the period during which they are received. Redesignations are reported as memo entries on Schedule B of the report covering the period during which the redesignation is made. 11 CFR §110.2(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

-Schedule B supporting Line 23 discloses a contribution to Americans for a Republican Majority *for* Tom Delay's Leadership PAC. Please amend your report to clarify the ultimate recipient of this contribution.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,

Antoinette Kitchen

Senior Reports Analyst

Reports Analysis Division

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